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C O N F I D E N T I A L KYIV 002010

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TAGS: [PGOV](#) [PREL](#) [UP](#)
SUBJECT: UKRAINE: BYUT REGISTERED FOR ELECTION

REF: KYIV 01986

Classified By: Political Counselor Kent Logsdon for reasons 1.4(b,d).

11. (C) Summary and comment. After a court ruled August 14 that the Central Election Commission (CEC) needed to review BYuT's candidates list within one day, the CEC complied and finally approved all 450 candidates of the bloc late in the day August 15. Tymoshenko herself attended the August 14 court hearing, where her party argued that the CEC had violated the election law--which says the CEC must make a decision on registering candidates within three days of receiving the party's list--by postponing the issue twice. The Kyiv Administrative Court agreed with that argument and ordered the CEC to act. Regions campaign manager Borys Kolsenikov said publicly on August 14, and Prime Minister Chief of Staff Serhiy Lyovochkin reiterated to us privately, that the elections would be flawed if BYuT did not participate, which was as close as Regions leaders came to acknowledging the need for BYuT to be registered. It is positive that Regions leaders heard the message that BYuT needed to registered, but troubling that they tried to block it in the first place. The event is unlikely to have any impact on BYuT's ratings, but it is a bad way to start the campaign. End summary and comment.

CEC Finally Acts

12. (SBU) After twice refusing to make a decision on BYuT's list of candidates for the upcoming election (reftel), the CEC finally took action, with 14 commissioners approving the list after the Kyiv Administrative Court ruled August 14 that the CEC had to review BYuT's candidates list by the end of August 15. There was some small drama before the vote when CEC Chairman Shapoval refused to put the BYuT issue on the day's agenda because the CEC had not formally received the court's decision. However, late in the afternoon, Shapoval was satisfied and all 450 BYuT candidates were approved and registered.

13. (C) Regions' reactions to the events at the CEC have been varied. Campaign manager Borys Kolesnikov and PM Chief of Staff Lyovochkin both acknowledged (the latter privately to us) that the elections would not be valid if BYuT did not participate, but neither would publicly urge the CEC to act. Regions MP Chornovil publicly criticized BYuT for having campaign billboards throughout Ukraine without waiting for the CEC to register them. The CEC also voted 8-7 along party lines to condemn the BYuT protesters outside their building.

14. (SBU) The CEC also formed the 225 district election commissions (DECs), the first step in setting up the administrative network that will run the voting. Each DEC will have 18 commissioners, nominated by the five Rada factions in the current convocation. This last fact was bolstered, in part, by another August 14 court ruling, which

found Speaker Moroz's claim that Our Ukraine and BYuT should not be allowed to nominate commissioners for the DEC's was without merit.

15. (U) Visit Embassy Kyiv's classified website:
www.state.sgov.gov/p/eur/kyiv.
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